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# STATE OF COLORADO

*Dedicated to protecting and improving the health and environment of the people of Colorado*  
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Colorado Department  
of Public Health  
and Environment

March 8, 2005

Mr. Chuck Stillwell, Environmental Manager  
Atlantic Richfield Company  
317 Anaconda Road  
Butte, Montana 59701

Re: Certificate of Designation Application  
Rico Renaissance, LLC  
North Rico Soil Lead Repository

Dear Mr. Stillwell:

The Hazardous Materials and Waste Management Division (Division) of the Colorado Department of Public Health and Environment has completed its technical review of the Application for Certificate of Designation (CD) for the proposed North Rico Soil Lead Repository. The proposed lead soil repository is to be located .75 miles north of the northern boundary of the Town of Rico in Dolores County. The CD application, which contains the Design and Operations Plan was prepared and submitted by Atlantic Richfield Company. The operations area will be approximately 1.5 acres in size and be comprised of a single cell for lead contaminated soil disposal.

The application was reviewed to determine its compliance with the requirements set forth in the Solid Waste and Disposal Sites and Facilities Act, Title 30, Article 20, Part 1 of the Colorado Revised Statutes, as amended and with the regulations promulgated thereunder 6 CCR 1007-2 (the Regulations).

Based on the CD Application review, the Division finds several areas of the CD Application requiring clarification or modification to meet the requirements of the Regulations. The Division's comments are as follows:

1. Page 1 of the application states that Rico Properties, LLC (RP) is the representative for Rico Renaissance, LLC although RP is the owner of the repository site. Please provide an explanation of Rico Renaissance's interest in this property and as requested in Dolores

County Board of County Commissioner's letter dated February 14, 2005 please provide information outlining the responsibilities of those two entities as well as that of Atlantic Richfield Company.

2. Page 13 of the application states that a Non-Profit entity will construct and operate the water treatment facility and associated treatment solids repositories. First, this application is for one repository but more importantly, identify the non-profit entity that will be responsible for the long-term maintenance and operation of the facility?
3. How will waste rock, if encountered during grading and compaction of the subgrade, be treated or disposed of.
4. Page 10 of the application discusses a collapse of the adjacent St. Louis Tunnel in the mid 1990's and later discusses future planned repairs. Could further collapse or the anticipated repair work of the tunnel impact the stability of the proposed repository? If yes, please detail procedures to prevent deleterious impacts to the repository.
5. The application discusses placement of the waste material and page 18 states that the waste material will be compacted. What is the anticipated thickness of the lifts and the compaction criteria? What measures will be implemented to ensure that the liquids expressed from the waste material will not jeopardize the integrity of the liner.
6. The application states that the facility will be open during non-winter months. Please describe how the facility will "close" for the winter. How will run-off be addressed? Will a temporary CAP be applied and if so, what type of materials will be used?
7. Calcium in the foundation below the GCL or in the leachate could increase permeability of the liner. Has chemical compatibility been considered in liner selection, or criteria developed to ensure isolation of the liner from calcium bearing media? The liner should be pre-hydrated and direct shear strength testing of the hydrated liner for stability purposes. Please provide a (QA/QC) Plan for review and approval prior to construction of this facility. The QA/QC data will then be required to be provided for review and approval by the Division prior to the acceptance of any waste.
8. Please provide a copy of the manufacturer's installation instructions. Include the type of equipment to be used in placing the overlying buffer soils and measures to be employed to prevent damaging the GCL during liner installation and waste placement. In Please provide a GCL panel layout schematic to ensure the panels do not slump or separate in the cell.
9. Financial assurance, per section 1.8 of the Regulations was not addressed in the original application. However, a commitment of providing financial assurance and complying with section 1.8 of the Regulations was included in Development and Land Use Application submitted to the Dolores County Planning Commission January 20, 2005. The Financial Assurance instrument must be reviewed and approved by the Division 60 days prior to the acceptance of waste at the repository.
10. Current interpretation of Colorado Revised Statute 25-15-321, the creation, modification and termination of an environmental covenant applies to this facility upon selection of the final remedy. Therefore, a covenant will be required once the plans are finalized.

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These conclude the Division's comments regarding North Rico Soil Lead Repository's Certificate of Designation Application. Please contact me at 970-248-7168 if you have any questions regarding this letter.

Sincerely,



Donna Stoner, Environmental Protection Specialist  
Solid Waste Unit  
Compliance Program

cc: Stan Foster, Rico Properties, LLC  
Ramon Escure, ESQ., Counsel, Rico Renaissance, LLC  
Le Roy Gore, Chairman, Dolores County Commissioners  
David Allen, Dolores County Planning Department  
Eric J. Heil, P.C., Town of Rico  
✓ Mark Walker, CDPHE-Denver  
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